



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 02, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#26 AUG 2, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION
SPINNER TRAIL (FORMERLY KNOWN AS ALDER TRAIL)
EAST OF HIGHVALE TRAIL
IN THE UNINCORPORATED COMMUNITY OF TOPANGA
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to vacate an easement for public road and highway purposes on Spinner Trail (formerly known as Alder Trail) east of Highvale Trail in the unincorporated community of Topanga, which is no longer needed for public use. The vacation has been requested by the underlying property owners to eliminate encroachment issues.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that Spinner Trail (formerly known as Alder Trail) east of Highvale Trail in the unincorporated community of Topanga has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.
3. Find that Spinner Trail (formerly known as Alder Trail) east of Highvale Trail in the unincorporated community of Topanga has been determined to be excess by the easement holder, the County of Los Angeles, and that it may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.

4. Find that Spinner Trail (formerly known as Alder Trail) east of Highvale Trail in the unincorporated community of Topanga is not useful as a nonmotorized transportation facility pursuant to Section 892(a) of the California Streets and Highways Code.

5. Adopt the Resolution of Summary Vacation.

6. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar Recorder/County Clerk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate Spinner Trail east of Highvale Trail (Easement) in the unincorporated community of Topanga since it no longer serves the purpose for which it was dedicated and is not required for public access or transportation.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The vacation of the Easement will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,000 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 889 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a street or highway if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code Section 8334(a) provides that the legislative body of a local agency may summarily vacate a street or highway if the easement has been determined to be excess by the easement holder, the County of Los Angeles.

The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.

The County's interest in the Easement was acquired in 1924 by dedication in Tract No. 6915, recorded in Book 96, pages 83 through 88, inclusive, of Maps, in the office of the Los Angeles County Registrar-Recorder/County Clerk as an easement for road and highway purposes.

Mr. John Mac Neil, a Licensed Land Surveyor, on behalf of Mr. John Hartmann and with the approval of the State Department of Parks and Recreation (State) requested the vacation of the Easement to eliminate encroachment issues. A portion of the area to be vacated is owned by Mr. Hartmann and a portion is owned by the State. Because a portion of Mr. Hartmann's studio, wood deck, and retaining wall are encroaching within a portion of Spinner Trail and the Topanga State Park, he and the State have reached a tentative resolution that includes land exchange between the State and Mr. Hartmann to resolve the encroachment issues. If approved, portions of the land exchange will include Mr. Hartmann deeding a portion of vacated Spinner Trail to the State.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easement. Your action will result in the property being unencumbered by the Easement and available to the underlying property owners for use without restriction of the Easement.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easement.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

The Honorable Board of Supervisors

8/2/2011

Page 4

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
SPINNER TRAIL (FORMERLY ALDER TRAIL) EAST OF HIGHVALE TRAIL**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for road and highway purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement, east of Highvale Trail, is located in the unincorporated community of Topanga in the County of Los Angeles, State of California.
2. The Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easement is excess right of way not required for public road and highway purposes.
4. The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.
5. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, State of California, commencing with Section 8330.
6. The Director of Public Works is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will no longer be a public easement.
8. From and after the date this resolution is recorded, the Easement will no longer constitute a street, highway, or public service easement.

The foregoing resolution was on the 2nd day of August, 2011, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles



By Carol Suzuki
Deputy

By Benjamin Zavala
Deputy

JLS:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER ENCLOSURE\SPINNER TRAIL ENCLOSURE

EXHIBIT A

Project Name: **SPINNER TRAIL EAST OF
HIGHVALE TRAIL 1-1VAC**

A.I.N. 4444-016 and 019 (Spinner Trail)

T.G. 590-B5

I.M. 144-097

R.D. 336

S.D. 3

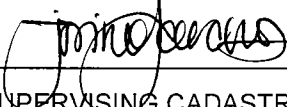
M0988113

LEGAL DESCRIPTION

PARCEL NO. 1-1VAC (Vacation of public road and highway easement):

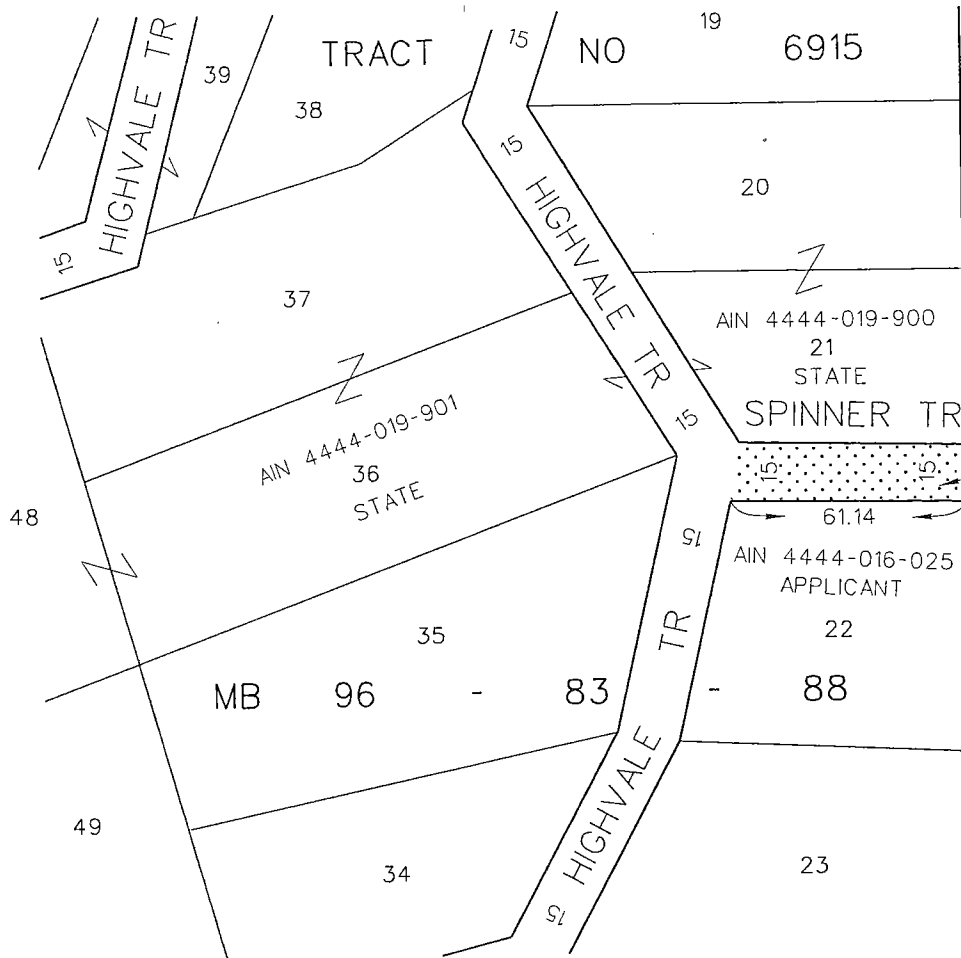
All of Alder Trail (now known as Spinner Trail), 15 feet wide, as shown on map of Tract No. 6915, recorded in Book 96, pages 83 and 88, inclusive, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, bounded westerly by a straight line that extends from the southwest corner of Lot 21 to the northwest corner of Lot 22, both lots of said tract.

Containing: 889± square feet

APPROVED AS TO DESCRIPTION	
June 15, 2011	
COUNTY OF LOS ANGELES	
By	
SUPERVISING CADASTRAL ENGINEER III	
Survey/Mapping & Property Management Division	

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

RA:\C:\MyFiles\vacation projects\M0988113 (Spinner Trail)\legal description.doc



1-1VAC

AIN 4444-014-901
STATE

GARAPATAS TRACT
MB 22 - 140

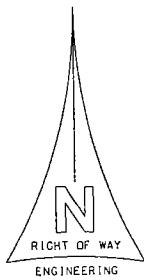
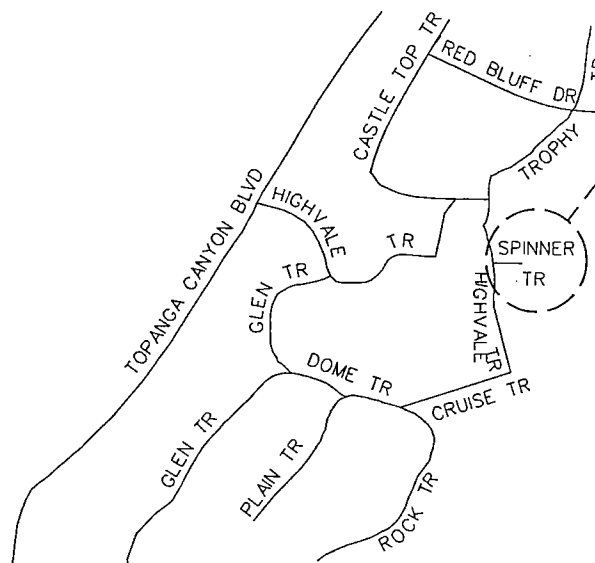
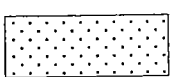


EXHIBIT B



SUBJECT
LOCATION

LEGEND



Proposed area to be
vacated
Total Area = 889± s.f.

REVISIONS

1.

2.

3.

DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD.

RD.

A.I.N.

T.G.

3

336

4444-016 & 019

590-B5

SPINNER TRAIL (FORMERLY
KNOWN AS ALDER TRAIL)
EAST OF HIGHVALE TRAIL

DRAWING NO.

M0988113

SCALE
NONE

DATE
6-08-11

I.M.
144-097